

MHCC050019732021



**IN THE COURT OF SESSIONS AT DINDOSHI
(BORIVALI DIVISION), GOREGAON, MUMBAI**

ANTICIPATORY BAIL APPLICATION NO. 542 OF 2021

IN

(C. R. No. 216 of 2021 of Kandivali Police Station)

MR. SACHIN RAMCHANDRA SHIRWALE

Aged about 44 years, Occ.: Service
Residing at Room No.B/30, 2nd Floor,
Naigaon Parel, Mumbai-400 012.

..Applicant.

V/s

**The State of Maharashtra (Through
Kandivali Police Station)**

..Respondent

Ld. Adv. Mr. Satish B. Sakat, for the applicant.

Ld. APP Mrs. Usha Jadhav, for the State.

**CORAM : SHRI L.S. CHAVAN,
ADDITIONAL SESSIONS JUDGE,
COURT ROOM NO.10.**

DATE : 09th April, 2021

ORAL ORDER

This is an application filed by the applicant under Section 438 of the Code of Criminal Procedure 1973, for granting anticipatory bail in connection with Crime No.216/2021 registered with Kandivali Police Station for the offence punishable under Sections 354, 354(a), 354(b), 506(2) of the Indian Penal Code.

2. The factual matrix of the prosecution case is that, during the period of 22.03.2021 to 26.03.2021, the applicant called the complainant at Transit Camp, A Wing, Room No.17, Opp. Pawar Public School, Mahavir Nagar, Kandivali (West), Mumbai and gave information about the love relation of his wife Sheetal and her husband Santosh. The applicant threatened to the complainant about naked video taken by him and send it on her whatsapp and forced her for physical sex. Therefore, the complainant lodged the report to Kandivali Police Station against the applicant. On the basis of report of the complainant, Crime No. 216/2021 came to be registered against the applicant for the offence punishable under Sections 354, 354(a), 354(b), 506(2) of the Indian Penal Code.

3. The learned advocate for the applicant argued that, the applicant is innocent person. He has been falsely implicated in the above said crime by the complainant. He has apprehension regarding his arrest at the hands of Kandivali Police Station in connection with Crime No.216/2021. Hence, requested for granting pre-arrest bail to the applicant. The complainant namely Mrs. Sumitra Santosh Dhodi appeared before the court alongwith her affidavit Exh.3 contending that, the matter is settled between the complainant and applicant out of court. She has no objection to release the applicant on anticipatory bail. Therefore, it would be proper to enlarge the applicant on pre-arrest bail subject to certain conditions. Hence, I pass following order.

ORDER

1. Anticipatory Bail Application No.542/2021 is hereby allowed.
2. In the event of arrest of the applicant namely **MR. SACHIN RAMCHANDRA SHIRWALE**, be released on bail on executing

P.R. Bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with one or two sureties of like sum in connection with Crime No.216/2021 registered with Kandivali Police Station for the offence punishable under Sections 354, 354(a), 354(b), 506(2) of the Indian Penal Code on following conditions-

- i) He shall attend Kandivali Police Station on every Sunday from 10.00 am to 01.00 pm till filing of charge-sheet.
- ii) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing such a fact to the court or to any police officer.
- iii) He is directed to furnish his proper local address and his contact number to Kandivali Police Station.
- iv) Inform to Kandivali Police Station.

3. Anticipatory Bail Application No.542/2021 stands disposed of accordingly.

Sd/-

(L.S. CHAVAN)

Dt. 09/04/2021

Additional Sessions Judge,
Borivali Div., Dindoshi, Mumbai

Dictation given directly on computer on: 09/04/2021

Checked & Signed by HHJ on : 09/04/2021

CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER.”	
09/04/2021 at 4.40 pm.	Mrs. J.S. Gawai
UPLOAD DATE AND TIME	NAME OF STENOGRAPHER
Name of Judge (with Court room no.)	HHJ Shri L.S. Chavan, City Civil & Sessions Court, Borivali Div., Dindoshi. (C.R.No.10)
Date of Pronouncement of JUDGEMENT/ORDER	09/04/2021
JUDGEMENT/ORDER signed by P.O. on	09/04/2021
JUDGEMENT/ORDER uploaded on	09/04/2021